

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS**

**UNITED STATES OF AMERICA**

**V.**

BENJAMIN SHACAR

**Defendant.**

$$\begin{array}{c} ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \\ ) \end{array}$$

**) CRIMINAL NO: 21-CR-30028-MGM**

# AFFIDAVIT

William J. O'Neil, on his oath, deposes and says as follows:

1. My name is William J. O'Neil, and I was appointed to represent the defendant, Benjamin Shacar, in the above-entitled case.
2. Mr. Shacar is charged in an indictment with one count of possession of child pornography and ten counts of receipt of child pornography.
3. I was not the original counsel for Mr. Shacar. I was appointed to represent him on March 10, 2023. At the time of my appointment, I understood that Mr. Shacar had been released pursuant to an order of this court and that he was on a curfew with GPS monitoring.
4. On January 12, 2024, I spoke with United States Probation Officer Kristen Vella who informed me that the probation office had discovered a discrepancy between the Court's order of release conditions of March 31, 2021 and the manner in which both the defendant and probation have interpreted that order. The order of conditions indicates a home confinement requirement while both the defendant and probation have understood the condition to be a 7:00 p.m. to 7:00 a.m. curfew with GPS monitoring.
5. Since I was not present at the detention hearing, I requested an audio recording of the detention hearing. I was advised that the hearing was not audio recorded and that a stenographer was present at the detention hearing. I reached out to the stenographer, Debra Joyce, who confirmed that she was the stenographer assigned to Mr. Shacar's detention hearing and that she was prepared to prepare a transcript of the hearing.
6. According to Ms. Joyce, the transcript of the detention hearing is approximately 17 pages long. For production and delivery of the transcript within seven days of the order to prepare, the cost per page is \$5.35. Thus, the approximate cost to prepare an expedited transcript is \$90.95.

7. I believe that the production of the transcript is necessary to resolve the issue regarding the uncertainty of the defendant's release conditions.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY on this 24th  
day of January 2024.

/s/ William J. O'Neil  
WILLIAM J. O'NEIL